

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	}	
	}	
Petition for a Certificate of Public Convenience	}	
and Necessity, pursuant to Section 8-406.1 of	}	
the Illinois Public Utilities Act, and an Order	}	
pursuant to Section 8-503 of the Public Utilities	}	Case No.: 12-0598
Act, to Construct, Operate and Maintain a New	}	
High Voltage Electric Service Line and Related	}	
Facilities in the Counties of Adams, Brown, Cass,	}	
Champaign, Christian, Clark, Coles, Edgar,	}	
Fulton, Macon, Montgomery, Morgan, Moultrie,	}	
Pike, Sangamon, Schuyler, Scott, and Shelby,	}	
Illinois.	}	

**DIRECT TESTIMONY ON REHEARING
OF
DARREL THOMA**

Intervenor MSSCLPG Exhibit 11.0

1 **DIRECT TESTIMONY ON REHEARING OF DARREL THOMA**

2 **Q. PLEASE STATE YOUR NAME AND ADDRESS.**

3 A. Darrel Thoma. Dowson Farms. 2356 West Boarman Road, Divernon, Illinois 62530.

4 **Q. WHAT IS YOUR BUSINESS OR OCCUPATION?**

5 A. I am one of the managers of Dowson Farms. Dowson Farms farms approximately 55,000
6 acres in 20 counties in Illinois. It consists of various entities that operate under the umbrella
7 name of Dowson Farms. Some of the farmland we farm is owned by Dowson Farms. Other
8 farmland we farm as tenants. I am authorized to appear and testify on behalf of Dowson
9 Farms. I have been affiliated with Dowson Farms for the past 17 years. I would note that
10 Dowson Farms is a family farm operation in its fifth generation.

11 **Q. WHAT IS YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE?**

12 A. I graduated from Eastern Illinois University in 1993 with a bachelors degree in accounting.
13 I then went to work for a CPA firm in Bloomington, Illinois, followed by three years at State
14 Farm Insurance, also in Bloomington. After leaving State Farm, I have been continuously
15 employed by Dowson Farms.

16 **Q. DOES DOWSON FARMS HAVE ACREAGE IN MORGAN, SANGAMON, AND**
17 **SCOTT COUNTIES, ILLINOIS?**

18 A. Yes it does.

19 **Q. ARE YOU FAMILIAR WITH THE ROUTING OPTIONS DESCRIBED AS THE**
20 **MSCLTF ROUTE AND THE REBUTTAL RECOMMENDED ROUTE?**

21 A. Yes I am. On almost a daily basis, I drive by at least a portion of both routing options.

22 **Q. PRIOR TO PRESENTING YOUR TESTIMONY, HAVE YOU REVIEWED THE**

**RECORD IN THIS CASE AND MADE YOURSELF AWARE OF WHAT HAS
TRANSPIRED TO DATE?**

A. Yes I have.

**Q. WHY HAVE YOU DECIDED TO PARTICIPATE IN THIS INTERVENTION ON
BEHALF OF DOWSON FARMS?**

A. I would first like to express my deep concern as to how a company that is not in the business of generating electricity, but only in the business of profit through electric distribution can get federal and Illinois Commerce Commission approval for electing routes over the assets and livelihood of the farmers and rural communities here in central Illinois. How do individual landowners have a chance to protect their land and income potential against this type of power and control? I understand the need for efficient and reliable power, but let me be crystal clear that there is a less intrusive and less expensive path to reach the same objective.

**Q. BASED UPON YOUR REVIEW OF THIS MATTER, INCLUDING THE
COMMISSION RECORD AND YOUR OWN PERSONAL EXPERIENCE IN THE
AREA, HAVE YOU REACHED A DECISION AS TO WHAT DOWSON FARMS
WOULD RECOMMEND FOR FUTURE COMMISSION ACTION IN THIS CASE?**

A. Yes I have. Dowson Farms recommends approval of the proposed 345 kV line going parallel with the existing 138 kV line from Pawnee to Meredosia. I have traveled by road both the Rebuttal Recommended Route and the existing 138 kV line. I have gone to the county office and looked at every tax parcel on both lines. I have studied the aerial maps of every farm along both lines. I have been able to physically drive across many miles of the Rebuttal

Recommended Route. Please see the attached Exhibit A (Intervenor MSSCLPG Exhibit 11.1) showing the aerial map of both the Rebuttal Recommended Route and the existing 138 kV line. The conclusion is simple and will be proved that the adverse effects of choosing the Rebuttal Recommended Route is far greater than what ATXI has explained on record why they do not want to use the existing 138 kV line because of “reliability concerns” or “ATXI prefers to avoid for various reasons.”

Q. WITH REGARD TO INTERVENOR MSSCLPG EXHIBIT 11.1, IS THIS AN EXHIBIT THAT YOU PREPARED?

A. Yes it is. First we started with a Google Earth map of the area in question. We then filled in what I describe as balloons along and upon both of the routes. Certain other members of the MSSCLPG participated in the preparation of Intervenor MSSCLPG Exhibit 11.1, Rustin Godfrey, Kelly Dodsworth, and Jeff Spencer. All of these gentlemen and myself, if called as witnesses, would be able to confirm that Intervenor MSSCLPG Exhibit 11.1 is a true representation of the area in question, and in addition thereto, where indications are made by balloons along the routes, there actually exist what I would refer to as farm sites, meaning a building which is used either in farming operations as storage or offices, or also as a residence.

Q. WHAT IS THE SIGNIFICANCE OF THE NUMBERS ASSIGNED TO THE BALLOONS ON INTERVENOR MSSCLPG EXHIBIT 11.1?

A. The numbers indicate the number of buildings located along the route. For instance, if a balloon has the number 4, that means four buildings.

Q. REFERRING TO INTERVENOR MSSCLPG EXHIBIT 11.1, HAVE YOU

67 **REACHED ANY CONCLUSIONS?**

68 A. Yes. There appear to be 15 farm sites, some of which consist of multiple buildings, along
69 the MSCLTF Route that we are advocating. There appear to be 44 farm sites along the
70 Rebuttal Recommended Route.

71 **Q. HAVE YOU UNDERTAKEN ANY FURTHER ANALYSIS OF THE TWO ROUTING**
72 **OPTIONS IN QUESTION?**

73 A. Yes. I realize that the Illinois Commerce Commission bases its decision in this case upon
74 the least cost option. I realize that least cost is not based solely on the cost of construction.
75 Therefore, I attempted to break my analysis down further, looking at the following
76 considerations: Length of Line: It doesn't get any clearer than this. The Rebuttal
77 Recommended Route is 18.3 miles shorter. That means there are less acres and parcels of
78 land that are affected. This is undisputable. All the other following reasons and calculations
79 will be based off this simple fact. We're not talking 1.8 miles, we're talking about 18.3
80 miles of income producing assets that have the potential of being affected forever. People,
81 Residences and farming operations: As indicated we have traveled the roads, visited
82 residences, talked with real people and looked at farming operations that are on both lines.
83 We also used farming software in connection with Google Earth and drew lines of 0-75 feet,
84 76-150 feet, 151-300 feet and 301-500 feet of both the existing 138 kV and the Rebuttal
85 Recommended Route. We totaled 30 improvements on the existing 138 kV line and totaled
86 126 improvements on the Rebuttal Recommended Route. Please see Exhibit B (Intervenor
87 MSSCLPG Exhibit 11.2) , it is truly shocking. Actual farm sites totaled 15 on the existing
88 route and 44 on the Rebuttal Recommended Route. People invest their hard earned money

on improvements in the rural farming community. It is vital to growth and efficiency. People invest where they have no restrictions and obstacles to interfere with their business plans. ATXI has an existing route. It has already limited the growth for 57 miles. I ask the simple question, why would anyone other than ATXI want to stop the potential growth of improvements on another 76 miles? It simply does not make any sense. More and more farming operations are putting up grain facilities that contain grain legs. If I already have a farm site with grain bins and I want to add a grain leg and possibly another grain bin, I might not be able to make this improvement. The 138 kV line already exists and has stopped those possibilities. When reading the order, I was astounded by what ATXI stated about FutureGen's position, so I will quote, "ATXI states that FutureGen testified that the Primary Route could potentially interfere with its proposed operations; however, ATXI argues the Stipulated Route would eliminate FutureGen's concerns. ATXI therefore believes the Stipulated Route represents the best balancing of factors and interests in light of the issues described above and the compromise reached through the Stipulation." Did ATXI ask the hundred plus landowners about their future plans? We have had interest from large commercial retailers and residential builders that are interested in the area between Virden and Thayer along Route 4. According to Illinois Department of Transportation's records approximately 8,000 vehicles travel that route every day. I think 140 foot electrical poles would definitely conflict with these future plans. ATXI provided no evidence from FutureGen of their financial commitment building plans and landownership. I think the Illinois Commerce Commission is smarter than that concept. The alternate route has 76 miles of ownership and their plans do not involve 140 foot poles going through the middle

111 of their property. Difficulty and Cost of construction: This is not something we can
112 calculate, but based off of ATXI's numbers the cost of construction would be approximately
113 \$37,000,000 less going along the existing 138 kV line. ATXI has not provided any detail
114 breakdown on this number, but based off assumptions this number could easily be 50% or
115 100% higher. ATXI has also not provided any evidence of personal experiences of their
116 construction failures and/or accidents and the cost associated with those failures or accidents
117 while constructing a new 345 kV line next to an existing 138 kV line. I would like for ATXI
118 to explain that if there was an accident or there was a power outage during construction that
119 there is absolutely no other possible power option on the grid to service customers while
120 constructing the new line. I would also like to point out that in the order ATXI said "while
121 the baseline dollar cost for the Stipulated Route is greater than any other proposed route,
122 ATXI notes that the Stipulated Route has the most intervenor support of the routes." Well,
123 the number of people now opposing the Stipulated Route far outweighs all other intervenors.
124 ATXI also failed to acknowledge that they do have the right and capability to purchase
125 additional easement rights along the existing 138 kV line. Environmental Impacts: I think
126 the best way to answer this issue is to take it out of both the ATXI and the intervenors hands
127 and bring in a specialist from a federal conservation office, a specialist from the IL
128 Department of Natural Resources, and a specialist from the United States Department of
129 Agriculture Conservation and Natural Resources division. We farm thousands of acres and
130 I can describe to you exactly what we observe with wildlife and large electrical poles and I
131 understand ATXI's viewpoint in saying that it's the same effect on both routes, so I think
132 you ask each specialist if they had a choice would they go along a path of 57 miles where a
133 line already exists or construct a new line going over 76 miles going over pristine farmland,

filter strips, federal wetlands, conservation prairie fields, and timber. Social and Land use: All 44 sites have social and other recreational purposes. The existing 138 kV line does not provide an area for social gatherings, family functions, or ideal recreational activities. Once again it is undeniable that you would be disturbing 76 miles of possibilities. Without using the alternate route there is a social or other land use opportunity, but there is not one under the existing 138 kV line. Land Value: If there was an auction tomorrow with two 80 acre parcels one mile apart of the same quality and the first parcel was perfect, no drainage issues, no obstacles and no easements and then the other parcel had two 140 foot poles going across it, permanent easements, possible low drainage areas between the poles, which one would you think sell the highest? If every farmer in the Midwest came to the auction and asked which one was worth more I think you would get 100% the same answer. ATXI says they will compensate us for these poles. I don't know what the future holds, ATXI doesn't know what the future holds and even your expert appraisers don't know what is going to happen in the future with land. We can look at past performance and look at what things are doing today, but what every landowner in the country can tell you is, if you take away the possibility of any future development, then it is gone forever. The possibility of future development around the existing 138 kV line has already been taken, why ruin another 76 miles. Travel the routes and you will see the difference. It is the same reason why cities and villages and rural communities plan so carefully around potential development. The ultimate effect would be tens of millions of dollars of value lost with the Rebuttal Recommended Route compared to minimal value on going alongside the existing 138 kV line. Community Acceptance: It is clear the widest accepted route is the existing 138 kV line as evidenced by over 80 landowners on the Rebuttal Recommended Route and local agricultural businesses.

157 Presence of Existing Corridors: The fact that ATXI has stated in the order that they took
158 “sensitivities” identified by participants in the public process is a complete
159 misrepresentation. It has been provided to the Illinois Commerce Commission that the
160 common comment of people on the Rebuttal Recommended Route was what we were told
161 by ATXI and its representatives at its meetings and by phone was “don’t worry, we are NOT
162 looking at the alternate route. Our focus is the primary route” or “you are on the alternate
163 route, then you don’t have anything to worry about.” You can imagine how all of us along
164 the alternate route felt when it was announced our route was selected as the choice route.

165 FARMING: The Dowson family has devoted their entire lives to this land. From raising
166 cattle, hogs, chickens, and producing corn, soybeans, wheat and hay. We purchased this land
167 and have done everything in our power to maintain and protect the asset that provides us our
168 livelihood. To have someone come in and say we are going to put these 140 foot poles
169 through the property and completely shut off any future growth possibilities is completely
170 unjustifiable. I ask the Illinois Commerce Commission and people of ATXI if the proposal
171 was to put these poles in between you and your neighbor’s yard or one right in the middle
172 of your backyard where your kids played or where you worked every day, what would you
173 do? I mean they’ll pay you some value, but you wouldn’t be able to sell your house. Now
174 if they had another option to go a few miles away where they already had lines and it
175 wouldn’t affect any new landowners, do you think that would be reasonable option. Any
176 new poles would affect a farmer on both routes, so I am not going to go into details on point
177 rows, overlapping, and the extra cost for all inputs and lower production of going around
178 these obstacles, but I do want to point out that I have talked to landowners who have property
179 on both the 138 kV line and the Rebuttal Recommended Route and they clearly have

180 proclaimed they would rather have ATXI go along the existing route. It is simple, why
181 would anyone want to ruin another farm with electrical poles when they could limit it to just
182 one farm. This speaks very loudly. Aerial applications of fungicides, insecticides and
183 chemicals are increasingly important with today's continuing farming pressures. These
184 applications can be the determining factor for either a profit or loss. I have spoken with the
185 pilots directly and the owner of the largest aerial applicator for this region. They fly
186 approximately 500,000 acres per year. Their statement was very clear "they do their best
187 job of getting as close as they can." They don't know exactly how many acres they leave
188 uncovered, but they do leave acres uncovered. Right now there are no aviation restrictions,
189 but the thing that they are very concerned about is as soon as a plane hits a major line and
190 kills someone or takes out power for a major city or grid, that there will be flying restrictions
191 put in place. If that does occur, then the income level for those farms would be dramatically
192 affected year after year and the land value would decrease even further.

193 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

194 A. Yes, it does.